

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
diGirolamo et al.)
Serial No.: 10/682,586) PATENT PENDING
Filed: October 9, 2003) Examiner: Mr. Phi Dieu N Tran A
For: **Stud Spacer for Metal Wall**) Group Art Unit: 3637
Docket No: 4782-030) Confirmation No.: 9767
)

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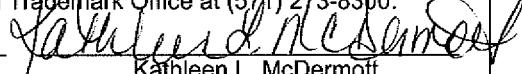
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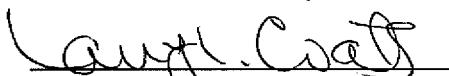
Sir:

REPLY BRIEF

The Examiner in the Answer still refuses to expressly construe claim terms, particularly the term "stud spacer". The issue remains whether the Examiner is obligated to disclose to the Applicant the actual construction imparted to the claim term. The Board is urged to hold that the Examiner must explicitly construe the term in situations such as those presented here.

Respectfully submitted,

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Dated: April 1, 2010

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